

FAQs: Election Administration Training for School District Clerks

Q: Do most districts do background checks on their candidates?

A: Clerks are not responsible for performing background checks on candidates. By signing the Declaration of Candidacy the candidate is affirming he/she meets all requirements for office. Individuals who have concerns about a candidate's eligibility may file a verified complaint with the filing officer with evidence supporting their claim(s). If a complaint is filed, the clerk would investigate (and seek advice from legal counsel) the allegations and make a decision based on the facts of the case. If a clerk performs background checks on candidates, he/she must perform background checks on all candidates. Each candidate must be treated in the same fashion.

Q: I still get questioned every year about requiring a poll list. Last year one municipality wanted to charge me for it. They are required to pay on their dime, right? Also, could they provide it on a CD?

A: School districts are entitled to a certified copy of the poll list. The municipality must provide this at no charge to the school district. The municipality may provide the poll list electronically (for example on CD), if the transmission includes a certification that the electronic copy is a true and exact copy.

Q: Do candidates have to fill out and turn in the GAB-1 to the clerk BEFORE they can circulate nomination papers? Or can they turn everything in at one time?

A: All candidates are required to register their campaign committee (file a campaign registration statement, GAB-1) with the appropriate filing officer as soon as they form the intent to become a candidate and before any funds are collected or spent. §§11.05(2g), 11.10(1), Wis. Stats. Yes, candidates may submit all ballot access documents at one time. However, if any funds are collected or spent before registration, a campaign finance complaint could be filed with the District Attorney. The candidate could be subject to a civil forfeiture.

Q: When are nomination papers required? I believe it's if a part of your district is within a certain classification of city? Am I correct?

A: Nomination papers are required for school district offices in any school district which contains territory lying within a 1st or 2nd class city. §§8.10(i), 8.10(km), 8.10(ks), Wis. Stats. Additionally, the school board for any school district may adopt a resolution requiring nomination papers. §§120.06(6a) Wis. Stats

Q: I see the part about the number of nomination signatures needed is dependent on class size of the city, but are they ever mandatory - you kept saying "if" we choose to use them?

A: Nomination papers are required for school district offices in any school district which contains territory lying within a 1st or 2nd class city. §§8.10(i), 8.10(km), 8.10(ks), Wis. Stats. Additionally, the school board for any school district may adopt a resolution requiring nomination papers. §§120.06(6a) Wis. Stats.

Q: Is the School Board Clerk (elected position) the same as the School District Clerk?

A: Yes, we are using the terms interchangeably. The school board clerk ultimately is responsible for the election and that it is run properly and all documents are in order. They should play an active role. However, he/she may deputize someone to accept, review, and process election materials.

Q: Where is the training document on the website?

A: The materials for the presentation can be found at: <http://gab.wi.gov/node/2963>.

Q: Where do we find this manual?

A: Materials for the webinar can be found at: <http://gab.wi.gov/node/2963>.

Q: They use this one as well as the GAB-1.

A: The GAB-1 is the campaign registration statement. All candidates must complete and submit this form prior to the deadline for ballot access. All candidates also must complete and submit a Declaration of Candidacy (form GAB-162SD). Candidates may also be required to submit nomination papers with a sufficient number of signatures in order to qualify to be on the ballot. This depends on whether your school district requires nomination papers. See §§8.10(i), 8.10(km), 8.10(ks), and 120.06(6a) Wis. Stats.

Q: Would you please explain "qualified" for Board of Canvassers?

A: Qualified = Eligible to vote in the School District.

Q: Some County Clerks, for cost savings and [to make it] easier for the voter, combine the Type B Notice with the county ballot. Schools may want to check with their County Clerk.

A: Thanks for the suggestion. Yes, school district clerks should work with their county clerks and municipal clerks to ensure they are aware of the school district election and have all information and supplies they need to complete any required tasks. Good communication will reduce issues and problems leading up to and on Election Day.

Q: Can a deputy clerk sign the documents?

A: Yes.

Q: Is this for municipal clerks also, or just mainly for school district clerks?

A: It is targeted to school district clerks, but it is a good refresher for municipal clerks as well.

Q: Do we need to provide all these forms to the municipal clerk? Or do they have them?

A: This question was asked during the section on polling place/Election Day supplies. The forms referenced in this section are forms the school board clerk should supply to the municipal clerk. This includes ballot bags (if you are using hand count paper ballots), tally sheets (two for each reporting unit), an inspector statement (GAB-104). Some of these documents the municipal clerk may have on hand. It is good practice to talk with the municipal clerk and ask them if they want you to provide these materials. The municipal clerk may opt to use what they have on hand and bill you for what they use to conduct the school district election. State law says you must provide these form. Whether you provide or simply pay for it is a local decision.

Q: Should you send copies of the GAB-1 and GAB-162SD to your county clerk as soon as the filing deadline has passed, or can you wait to send these in with the Certificate of Nomination after the ballot drawing?

A: You may send all the forms at one time, but please forward the forms as soon as possible.

Q: The school district needs to provide a poll book of some sort for the municipality or copy the poll book from the municipality---right?

A: The school district does not provide a poll book to the municipal clerk. The pre-printed registration list is always provided by the municipality. The Election Day and Supplemental Poll lists are provided by the county. If the school district

is conducting a special election, the school district provides the Election-Day and Supplemental lists. However, since this requires access to SVRS, ask the county or municipal clerk to print the lists.

Q: Can a candidate use a title such as "Dr." for their name on the ballot?

A: No. Titles are not permitted. Candidates may only use their full legal name, or any combination of first name, middle name, and initials, or nickname with last name. Quotation marks and parenthesis also are not permitted.

Q: Some school districts want a copy of the poll book after the election. That is at their expense not the municipal clerk to make a copy for them. Is that correct?

A: No. School districts are entitled to a certified copy of the poll list. The municipality must provide this at no charge to the school district.

Q: Are we required to use the GAB-106 forms or may we use our own forms that list the same information?

A: You may create your own versions, if they contain the same information as the G.A.B. forms.

Q: It was just said a School District Clerk can notarize when it relates to an election. Does this include the oath of office?

A: Yes.

Q: When we refer to "School Clerk" or "School District Clerk", are they referring to me, as the Executive Assistant to the District and School Board? Or to the member of our board who is the School Board Clerk? Can I sign the Certificate of Nomination under School Clerk?

A: The board member who has been elected by the other members to serve as clerk ultimately is responsible for election-related duties. However, he/she may deputize a school district staff member to accept, review, and process election materials, including the Certificate of Nomination. A deputy clerk should note their title when signing.

Q: Likewise, do I participate on the board of canvassers, or is this our school board clerk?

A: Wis. Stat. § 7.53(3)(a), provides: “...If the school district clerk is a candidate, the other two members designate a third person to serve in lieu of the clerk...” Though candidacy is the only reason for the clerk’s absence mentioned in the statute , logic suggests that the same procedure would also apply when the clerk is unavailable for other reasons.

Q: Please repeat info about campaign committee name on GAB-1? What if there is no committee?

A: All registrants should list a committee name. If the candidate does not provide a committee name on the GAB-1, please assign one. Examples include: Friends of [candidate’s first and last name], [candidate’s first and last name] for School Board, Committee for [candidate’s first and last name]